

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

ERIC GUICE, )  
                  )  
Plaintiff,      )  
                  )  
v.                )      Case No. CIV-24-1246-J  
                  )  
COMMANCHE COUNTY DETENTION )  
CENTER, et al.,    )  
                  )  
Defendants.     )

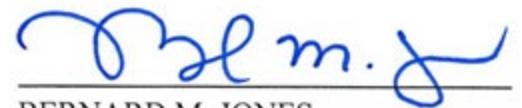
**ORDER**

Plaintiff, a pre-trial detainee appearing pro se and in forma pauperis, brings this action pursuant to 42 U.S.C. § 1983. The matter was referred to United States Magistrate Judge Shon T. Erwin for initial proceedings consistent with 28 U.S.C. § 636. [Doc. No. 3]. On January 28, 2025, Judge Erwin issued a Report and Recommendation recommending that any claim against the Comanche County Detention Center be dismissed with prejudice and the claims against Defendants Barlow, Darrington, and Webber be dismissed without prejudice. [Doc. No. 8]. Plaintiff was advised of his right to object to the Report and Recommendation by February 14, 2025. No objection has been filed. Plaintiff has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 18], DISMISSES any claim against the Comanche County Detention Center with prejudice, and DISMISSES the claims against Defendants Barlow, Darrington, and Webber, without prejudice. Plaintiff is granted leave to file an amended complaint curing the deficiencies noted in the Report

and Recommendation. Said amended complaint shall be filed on or before April 1, 2025.

IT IS SO ORDERED this 28<sup>th</sup> day of February, 2025.

  
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BERNARD M. JONES  
UNITED STATES DISTRICT JUDGE